

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA

ALEXANDRIA DIVISION

In re)	
)	
Daniel Jongpyo Choi)	
)	Case No. 09-11322-SSM
Debtor.)	Chapter 13
_____)	
)	
)	
Daniel Jongpyo Choi)	
and)	
Susan Choi)	
)	
v.)	
)	Adv. Pro. No.
EMC Mortgage Corporation)	
)	
and)	
)	
Bank of America, National Association)	
as successor by merger to)	
LaSalle Bank National Association,)	
as Trustee for Certificateholders of)	
SACO I Inc, Mortgage)	
Pass-Through Certificates, Series 2005-6)	
_____)	

REQUEST FOR ENTRY OF DEFAULT

TO THE CLERK:

NOW COME the Plaintiffs, through counsel, and request that the Clerk of the Court enter

Daniel M. Press, VSB# 37123
Russell B. Adams III, VSB# 37302
Chung & Press, P.C.
6718 Whittier Ave., Suite 200
McLean, Virginia 22101
(703) 734-3800
Counsel for Debtor

the Default of Defendants, and in support thereof, submit the following:

1. Defendants were served with the Summons and Complaint in the above captioned case by first class mail, directed to their respective registered agents, and Defendant Bank of America, N.A., as Trustee, was served by certified mail, return receipt requested, directed to its President, Kenneth D. Lewis, pursuant to Bankr. R. 7004(h) as reflected in the returns of service previously filed herein as Docket Entries 5, 6, 7 and 8 (the latter attaching the USPS return receipt). The summons was issued on June 8, 2009; was timely served that same day, on June 8, 2009; and the return receipt shows receipt on June 11, 2009.

2. Pursuant to Bankr 7012(a), the said Defendants were required to answer or otherwise respond to the Complaint within 30 days of issuance of the summons, i.e., on or before July 8, 2009.

3. As of the date of this Request, July 9, 2009, the said Defendants have failed to plead or otherwise defend against the Complaint.

4. As such, the Clerk shall enter said Defendants' Default pursuant to Bankr. R. 7055 and Fed.R.Civ.P. 55(a).

WHEREFORE, Plaintiff requests that the Clerk enter Default against Defendants EMC Mortgage Corporation and Bank of America, N.A., as Trustee.

Dated: July 9, 2009.

Respectfully submitted,

/s/Daniel M. Press
Daniel M. Press, VSB# 37123
Russell B. Adams III, VSB# 37302
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6718 Whittier Avenue, Suite 200
McLean, Virginia 22101
(703) 734-3800

CERTIFICATE OF SERVICE

This is to certify that on this 9th day of July, 2009, I caused the foregoing Request to be served by first class mail, postage prepaid, on the Defendants, addressed to:

EMC Mortgage Corporation
800 State Hwy 121 Bypass
Lewisville, Texas 75067

Kenneth D. Lewis, President
Bank of America, N.A.
101 S. Tryon St.
Charlotte, NC 28280

/s/Daniel M. Press
Daniel M. Press